IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4874 OF 2004

Mrs. Vimladevi Diwakar Mishara.] .. Petitioner

Vs

Municipal Corpn. Gr. Bombay & Anr.] .. Respondent

Mr. S.K. Dubey for the petitioner.

None for the respondents.

CORAM: ANOOP V. MOHTA, J.

DATED: 25TH NOVEMBER, 2004.

P.C.:

1. After taking into consideration the arguments made by the petitioner that the impugned order of allowing the amendment dated 8th March, 2002, is not legal and proper in view of the fact, as alleged, that the petitioner is not a necessary party as, except the averments in the complaint, there is nothing which need consideration so far as petitioner is concerned. The learned Judge, after considering this same submission, by the impugned order, has allowed the Chamber Summons and directed the respondent/plaintiff to carry out the amendment to the Plaint.

2. By invoking Article 227 of the Constitution,

the petitioner has challenged the said order. This Petition itself is pending since December, 2003. No steps have been taken by the petitioner in the matter earlier for appropriate orders. There is nothing to interfere with the order at this stage.

3. Parties are at liberty to raise appropriate pleas in the matter itself.

4. The Writ Petition is dismissed.

ANOOP V. MOHTA, J.